IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION (PIL) NO. 1865 OF 2005

Meera Sadanand Kamath.] .. Petitioner

Versus

1. Municipal Commissioner,Brihanmumbai Mahanagar Palika & 4 Ors.] .. Respondents

Mr. Rakesh Kumar i/b M/s. Legal Vision for the petitioner.

Mr. K.K. Singhvi with Mrs. V.K. Khatu for the respondent No.1 to 3.

Mrs. Seema Sarnaik for the respondent No.4.

Mr. R.M. Sawant, GP, for the respondent No.5 - State.

CORAM: R.M. LODHA &
ANOOP V. MOHTA, JJ.

DATED: 08TH FEBRUARY, 2006

P.C. :

. Heard.

2. Mr. K.K. Singhvi, the learned senior counsel for the respondents No.1 to 3 submits that Final Plot No.532 TPS III, Borivali West, Mumbai is reserved for secondary school and that within six weeks from today, the said plot shall be allotted to a Trust running the secondary school. Mr. Singhvi further submitted that

as regards Final Plot No.533 TPS III, Borivali West, Mumbai, that is reserved for playground to the secondary school and as soon as plot No.532 is allotted to a Trust for running secondary school, plot 533 TPS III shall be made available as playground to secondary school for which reservation has been made.

3. We find no justification in not accepting the statement of Mr. K.K. Singhvi.

4. Mrs. Seema Sarnaik, the learned counsel for respondent No.4 stated before us that as soon as Final Plot No.532 TPS III, Borivali West is allotted for the purposes of secondary school, the respondent No.4 shall immediately remove itself from Final Plot No.533 TPS III for making it available as playground to the secondary school. The learned counsel for respondent No.4 also submitted that the directives issued by this Court in the order dated 15th December, 2004 are being followed.

5. We accept the statement of the learned counsel for the respondent No.4.

6. In the light of the statements made on behalf of respondent Nos.1 to 3 and respondent No.4 and accepted by us, we dispose of this Writ Petition by

following order:

O R D E R :

(i) The respondents No.1 to 3 shall allot Final Plot No.532 TPS III, Borivali West for the purposes of secondary school within six weeks from today.

(ii) The respondents No.1 to 3 shall also make available Final Plot No.533 TPS III, Borivali West to the said secondary school for playground.

Sd-
[R.M. LODHA, J.]

Sd/-
[ANOOP V. MOHTA, J.]

[srpasha@hc]